

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. EDCV 22-1822 PVC Date: November 14, 2023

Title Christopher James Hall v. Kilolo Kijakazi

Present: The Honorable Pedro V. Castillo, United States Magistrate Judge

<u>Marlene Ramirez</u>	<u>None</u>
Deputy Clerk	Court Reporter / Recorder

Attorneys Present for Plaintiff: None Attorneys Present for Defendant: None

PROCEEDINGS: [IN CHAMBERS] ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE

On October 14, 2022, Plaintiff, through counsel, filed the above-referenced social security appeal. (Complaint, Dkt. No. 1). On April 25, 2023, Defendant filed an Answer to the Complaint, (Dkt. No. 20), along with a copy of the Certified Administrative Record. (Dkt. No. 21). Pursuant to the Court’s Order re: Procedures in Social Security Appeal, the deadline for Plaintiff to serve his portion of the joint submission on Defendant was May 30, 2023, *i.e.*, thirty-five days from the filing of the Answer. (Dkt. No. 9 at 1).

Plaintiff first requested an extension of the joint stipulation submission deadline on June 20, 2023, three weeks after the deadline had already passed. (Dkt. No. 22). The Court granted the extension and set a new deadline of July 20, 2023 for Plaintiff to serve his portion of the joint stipulation. (Dkt. No. 23). Plaintiff requested another extension on September 12, 2023, more than seven weeks after the deadline had passed. (Dkt. No. 24). The Court granted the extension, and set a new deadline of September 25, 2023. (Dkt. No. 25). On November 13, 2023, nearly seven weeks after the deadline had

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passed, Defendant filed a Notice of Non-Receipt to inform the Court that Plaintiff still had not served his portion of the joint stipulation.

It is now more than **five and a half months** since the original May 30, 2023 deadline for Plaintiff to file his portion of the joint stipulation and Plaintiff has still failed to comply. Plaintiff has established a pattern of requesting extensions and ignoring the continued deadlines. Accordingly, Plaintiff is ORDERED TO SHOW CAUSE, within **fourteen (14) days** of the date of this Order, why the Court should not dismiss this action with prejudice for failure to prosecute. Counsel for Plaintiff may discharge this Order by either (1) serving Plaintiff's portion of the joint stipulation on Defendant and filing a Notice of Compliance with the Court; or (2) filing a declaration under penalty of perjury stating why she is unable to do so. Counsel is admonished that the Court is unlikely to grant any further extensions absent a showing of extraordinary circumstances supported by documentary evidence.

The Clerk of the Court is directed to serve a copy of this Order upon counsel for Plaintiff and counsel for Defendant.

IT IS SO ORDERED.

Initials of Preparer

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